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Attorneys for Plaintiff, The Enclave Condominium Association

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY (CAMDEN)**

THE ENCLAVE CONDOMINIUM ASSOCIATION, INC.	:	Case Number 1:21-cv-19097-NLH-SAK
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
ELITE RESTORATION, INC.,	:	
CHARLES CULBERTSON, III,	:	
STRUCTURAL DESIGN ASSOCIATES,	:	
INC. ANDREW SCHEERER and JOHN	:	
DOE(S) 1-5 JOHN DOE(S) 6-10 and	:	
XYZ CORP(S). 1-10	:	
	:	
Defendants.	:	

AFFIDAVIT OF MERIT PURSUANT TO N.J.S.A. 2A:53A-27

1. I, Richard D. Roberts, am a structural engineer licensed in the State of New Jersey and have over 37 years of experience as a structural engineer. Projects I have worked on include high-rise building structure design, parking structure design, deep foundation design, and evaluation and modification of existing structures.

2. As a licensed Professional Engineer in the State of New Jersey, I am familiar with the policies, practices and procedures that engineers in the State of New Jersey employ when drafting specifications for major construction projects and managing the contract/project.

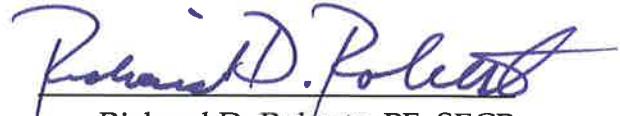
3. I have had the opportunity to review the following: **(a)** the Complaint filed in the Superior Court of New Jersey Law Division, Civil Part, Atlantic County, under docket number ATL-L-1903-21; **(b)** the request for arbitration filed by Elite Restoration Inc.; **(c)** the form AIA contract including the plans and specifications drafted by Defendant Andrew Scheerer and SDA; as well as **(d)** the proposed change orders and supporting documentation.

4. I have also had the opportunity to make a visual inspection of the Enclave Condominium Building and the subject deck surfaces and weep holes.

5. I believe that there is a reasonable probability that the care, skill and/or knowledge exercised by the Defendants, Andrew Scheerer and Structural Design Associates, Inc., fell outside the acceptable professional or occupational standards for engineers licensed to practice in the State of New Jersey.

6. I have no financial interest in the outcome of the case under review.

I, Richard D. Roberts, certify under penalty of perjury that the following is true and correct.



Richard D. Roberts, PE, SECB

STATE OF PENNSYLVANIA :

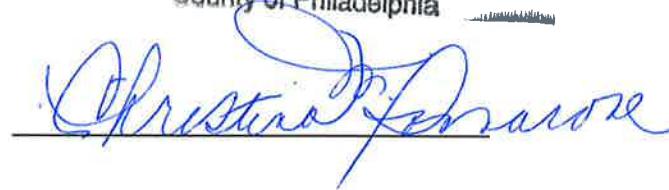
: SS

COUNTY OF PHILADELPHIA :

Subscribed, sworn to and acknowledged before me by Richard D. Roberts, the Affiant, and subscribed and sworn to before me by the above-named witnesses this

22nd day of October, 2021.

Commonwealth of Pennsylvania
County of Philadelphia



Commonwealth of Pennsylvania - Notary Seal
CHRISTINA M IANNARONE - Notary Public
Philadelphia County
My Commission Expires May 3, 2024
Commission Number 1269300